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PTO/SB/21 (09-04)

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Total Number of Pages in This Submission

28

Application Number

10/822,496

Filing Date

APRIL 12, 2004

First Named Inventor

LEMANSKI

Art Unit

1653

Examiner Name

TSAY, MARSHA M.

Attorney Docket Number

6818-70

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|-------------------------|----------|--------|
| Firm Name | AKERMAN SENTERFITT | | |
| Signature | | | |
| Printed name | NICHOLAS A. ZACHARIADES | | |
| Date | APRIL 27, 2005 | Reg. No. | 56,712 |

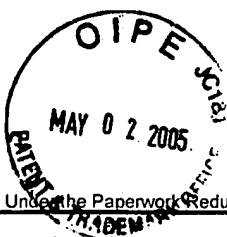
CERTIFICATE OF TRANSMISSION/MAILING

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| Typed or printed name | NICHOLAS A. ZACHARIADES | Date | APRIL 27, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

| | |
|------------------------|-----------------|
| Application Number | 10/822,496 |
| Filing Date | 04/12/2004 |
| First Named Inventor | LEMANSKI |
| Art Unit | 1653 |
| Examiner Name | TSAY, MARSHA M. |
| Attorney Docket Number | 6818-70 |

Sheet 1 of 1

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|--------------------|-----------------------|---|----------------|
| | | ZHANG et al., Cloning of a Myofibril Inducing RNA (MIR) that Promotes Myofibrillogenesis, FASEB J., April 2004, vol. 18, no. 4-5, pp. Abst. 4942 | |
| | | CHEN et al., Genetics of heart Development, Trends in Genetics, Sept. 2000, vol. 16, no. 9, pp. 383-388 | |
| | | HATCHER et al., Atrial Form and Function: Lessons from Human Molecular Genetics, Trends in Cardiovascular Medicine, 2000, vol. 10, no. 3, pp. 93-101 | |
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Examiner
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Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Information Disclosure Statement. Copies of the references, along with the International Search Report, are enclosed.

Submission of the listed documents is not intended as an admission that any such documents constitute prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of form PTO/SB/08B be returned in accordance with MPEP §609.

In view of the above certification, it is believed that no fee is required; however, should a fee be deemed to be due by the Commissioner, such fee is authorized to be charged to Deposit Account No. 50-0951.

Respectfully submitted,

Dated: 4/27/2005



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Docket No. 6818-70



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of LEMANSKI et al.

Serial No.: 10/822,496

Examiner: TSAY, Marsha M.

Date Filed: April 12, 2004

Group: 1653

For: PROMOTING CARDIAC CELL DIFFERENTIATION

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 27, 2005.

Reg. No. 56,712
Nicholas A. Zachariades, Ph.D.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. 1.97(c)

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO/SB/08B are hereby brought to the attention of the Examiner for independent evaluation.

Applicants certify that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the